

Article - State Government

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§20–1025.

(a) Except as provided in subsections (c) and (d) of this section, if the Commission determines that probable cause exists to believe that a discriminatory housing practice has occurred or is about to occur and that conciliation has failed, the Executive Director of the Commission or the Executive Director's designee shall certify the case for processing.

(b) After review of the certified complaint, the Commission shall:

(1) remand the matter to the Commission's staff for further processing;

(2) issue a charge on behalf of the aggrieved person for further proceedings under this part; or

(3) promptly dismiss the complaint, if the Commission determines that probable cause does not exist to believe that a discriminatory housing practice has occurred or is about to occur.

(c) (1) If the Commission determines that the matter involves the legality of a State or local zoning or other land use law or ordinance, the Commission shall immediately refer the matter to the Attorney General for appropriate action.

(2) Not less than 60 days after the Commission refers the matter to the Attorney General under paragraph (1) of this subsection, the Commission may issue a charge or take other appropriate action in the matter.

(d) After the beginning of the trial of a civil action that is commenced by an aggrieved person under federal or State law and that seeks relief for an alleged discriminatory housing practice, the Commission may not issue a charge under this section for the same alleged discriminatory housing practice.

(e) After the Commission issues a charge under this section, the Commission shall cause a copy of the charge, together with information as to how to make an election under § 20–1026 of this subtitle and the effect of the election, to be served:

(1) on each respondent named in the charge; and

(2) on each aggrieved person on whose behalf the complaint was filed.

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